

**UNITED STATE DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF IOWA  
CENTRAL DIVISION**

DUSTIN BURNIKEL,	)	
	)	
Plaintiff,	)	
	)	
v.	)	4:15-cv-00050
	)	
MICHAEL FONG, GREG WESSELS and	)	
CITY OF DES MOINES, IOWA	)	
	)	
Defendants.	)	

**REPLY TO DEFENDANTS' OPPOSITION TO  
PLAINTIFF'S MOTION TO COMPEL**

On March 29, 2016, Plaintiff filed a Motion to Compel. Defendants' filed their Opposition on April 18, 2016. Defendants' provided Plaintiff with supplemental responses on April 12, April 13, and April 19, 2016.

On April 26, 2016, counsel for all parties conferred. Defendants' counsel represented that Defendants have produced or intend to produce all documents request by Plaintiff in the Motion to Compel, with redactions of certain information. Defendants further represented that they are still identifying and redacting said documents and hope to produce the documents before the status hearing on April 28, 2016. Defendants also represented that they are not and will not be withholding any documents on the basis of privilege.

Based on those representations, the dispute between the parties appears to be moot. However, Plaintiff reserves the right to reassert this request in the unlikely event that Defendants fail to produce the requested documents. Plaintiff also reserves the right to reassert this request if it appears that the redacted information is needed or is not confidential.

Respectfully submitted,

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### **CERTIFICATE OF SERVICE**

The undersigned certifies that on April 26, 2016, he served the foregoing Memorandum to all counsel of record via this court's CM/ECF system at the following addresses:

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/s/ James R. Wyrsh